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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/328,627	06/09/1999	SWARUP ACHARYA	ACHARYA2-5-7	7063

7590 12/12/2003

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
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2157

12

DATE MAILED: 12/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/328,627

Applicant(s)

ACHARYA ET AL.

Examiner

Moustafa M Meky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8, 27-38, 42, 45-47 and 50-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-38 is/are allowed.
- 6) ☒ Claim(s) 5, 6, 42, 45-47, 50-55, 57-59 and 61-75 is/are rejected.
- 7) ☒ Claim(s) 7-8, 56 and 60 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other: _____. |

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1. The amendment filed 8/20/2003 has been entered and considered by the examiner.
2. Claims 5-8, 27-38, 42, 45-47, and 50-75 are presenting for examination.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 5-6, 42-47, and 73-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen (US Pat. No. 6,253,229).
5. As to claim 5, Nielsen shows in Fig 2, a system for communicating between computers interconnected by a communications network 50. Nielsen discloses the limitations of:
* receiving at a deriving computer 53, a request from a client 56 for transmission to the client a selected version (such as full web page or the hotspots of the web page) of a target file (web page), see the abstract, lines 9-18, col 4, lines 52-55, col 5, lines 6-11, lines 49-53;

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* deriving by conversion the user-selected version from a materialized file (full web page), see 41-67, col 6, lines 1-9;

* transmitting the user selected version from the deriving computer 53 to the client 56, see the abstract, line 11-12, col 5, lines 8-11, lines 25-27;

* transmitting from the deriving computer 53 to a server (connected to the Internet 50), a request for transmission to the computer 53 of a parent file (full web page) from which the user selected version (hotspots version) may be derived, see col 4, lines 42-57, col 5, lines 52-

6. As to claim 6, transmitting from the deriving computer 53 to the client 56, a program for generating a menu of user selectable versions of the target file, see col 4, lines 52-57, col 5, lines 6-11.

7. As to claims 42& 45-47, the claim is similar to claim 5 as been discussed in paragraph above. Specifically, the system of Nielsen comprises the proxy computer 53 for satisfying a request for a user selected version (hotspot version) of a target file (web page) in which the proxy server 53 would request a materialized parent version (the full web page) from a server connected to the Internet 50 in order to derive the selected version (hotspot version) and transmitting the user selected version (hotspot version) to the client 56.

8. As to claims 73-75, the claims are similar to claim 5 as been discussed in paragraph above. Specifically, the system Nielsen comprises a proxy server 53 for receiving a materialized file (full web page) from a server connected to the Internet 50, deriving by conversion of the file at the proxy computer 53, a derived version (hotspot version) having a predetermined default

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settings (see col 5, lines 54-67, col 6, lines 1-9), and transmitting the derived version from the proxy server 53 to the client 56.

Therefore, it can be seen that Nielsen anticipates claims 5-6, 42-47, and 73-75.

9. Claims 50-55 & 57-59, 61-75 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart (US Pat. No. 6,389,460).

10. As to claims 50-55, 57-59, 61-63, Stewart shows in Fig 1, a system for communicating between a client 104 and a server 108 interconnected to the client 104 by a network 106, see col 7, lines 34-45. Stewart teaches the limitations of:

(a) receiving a client request for transfer of a file (includes image, see col 9, lines 20-24), see col 7, lines 53-67, col 8, lines 1-25, lines 45-51;

(b) identifying a parent file, see col 7, lines 53-67, col 8, lines 1-25, lines 45-51, col 9, lines 20-24, col 15, lines 27-31;

© deriving by conversion of the parent file, a derived version (accelerated version) having a low resolution that is established as default version for delivery of files before receipt of the client's request (the proxy server stores in its cache the parent file and its accelerated version before receiving the client's request), see col 4, lines 21-28, col 6, lines 54-62, col 7, lines 20-25, col 10, lines 13-16, col 15, lines 31-36, lines 55-60; and

(d) transmitting the derived version (accelerated version) to the client in response to the request, see col 9, lines 34-37, lines 57-63.

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11. As to claims 64-75, the claims are similar in scope to claims 50-55, 57-63, and they are rejected under the same rationale.

In summary, the system of Stewart teaches that a materialized file (parent file) would be received by the proxy server 102, deriving by conversion of the parent file at the proxy server 102 a selected version (accelerated version) and transmitting from the proxy server 102 the derived version to the client 104.

Therefore, it can be seen that Stewart anticipates claims 50-55 & 57-59, 61-75.

12. Claims 27-38 are allowed over the prior art of record.

12.1. The prior art of record does not teach generating at the client a menu of user-selectable versions of the target file in response to a selection of a hyperlink by the client in which the hyperlink is a single access to a target file to initiate transmission of a version of the target file to the client (claim 27).

13. Claims 7-8, 56 & 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13.1. The prior art of record does not teach the limitations of:

- a) transmitting a menu generation program along with the default, low resolution version (claim 7, 56);
- b) requesting transmission from the server of a materialized version of the target file if the default version cannot be derived from a version resident in the cache (claim 60).

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is (703) 305-9697. The examiner can normally be reached on week days from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is (703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.

M.M.M

September 20, 2003


MOUSTAF A M. MEKY
PRIMARY EXAMINER